

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Allegations against Dr. G.L. Shobitha, Civil Surgeon Specialist (Ob & Gy.) formerly working at District Hospital, Machilipatnam, Krishna District presently working at Community Health Centre, Nandigama, Krishna District - Acceptance of written statement of defence - Further action dropped - Orders - Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.2) DEPARTMENT

G.O.Rt.No. 1706

Dated: 14-11-2008.

Read the following:-

- 1) Preliminary enquiry report of the Enquiry Officer and Medical Superintendent, Dist. Hospital, Machilipatnam received through the Commissioner, A.P.V.V.P., Hyderabad, letter Rc.No.5769/VCB/06, dt.11-6-2007.
- 2) G.O.Rt.No.140, HM&FW (VC.II.2) Dept., dated 4-02-2008.
- 3) Written statement of defence received from Dr.G.L. Shobitha, CSS, CHC, Avanigadda, Krishna Dist., dt.22-7-2008.

* * *

ORDER:

In the reference 1st read above, the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad has stated that one patient by name Smt Moka Durga Jyothi, W/o Sri Moka Sreenivasa Prasad, aged 28, R/o Machilipatnam was admitted with the complaint of labour pains, FHS good, in special Room on 18-09-2006 at 6.15 AM under the care of Dr. G.L. Shobitha, Civil Surgeon Specialist. The patient was discharged on 21-09-2006, Emergency LSCS was done on 22.09.2006 at 10.45 AM. Deeply asphyxiated baby was delivered and resuscitation was done. Baby could not be survived. Dr.G.L.Shobitha, Civil Surgeon Specialist, District Hospital, Machilipatnam, Krishna District has demanded Rs.1,000/- for which the patients husband did not accept. Hence, Civil Surgeon Specialist has discharged the patient on 21-09-2006 and again cancelled on the request of the patients relatives.

2. In the reference 2nd read above, the Government after careful examination of the report of the Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad has decided to initiate disciplinary action on Dr.G.L.Shobitha, Civil Surgeon Specialist, and accordingly issued the following articles of charges:

Charge-1:

That Dr.G.L.Shobitha, Civil Surgeon Specialist, formerly working at District Hospital, Machilipatnam, Krishna District exhibited negligence towards her legitimate duties while treating Smt Moka Durga Jyothi.

Charge-2:

That Dr.G.L.Shobitha, Civil Surgeon Specialist has demanded Rs.1,000/- for giving treatment to Smt Moka Durga Jyothi.

(P.T.O.)

3. In the reference 3rd read above, the above Charged Officer Dr.G.L. Shobitha has submitted written statement of defence to the charges framed against her. The Charged Officer Dr.G.L. Shobitha has submitted documentary evidence/ records such as Case Sheet of the Patient, Functionary Manual of Commissionerate of A.P. Vaidya Vidhana Parishad, Doctor's Call Duty Book, Labour Room Nurses Report Book, Night Report Book of Nursing Superintendent, Log Book of Ambulance Service, etc., in support of her written statement of defence and stated that she was not on duty during the period when the problem aroused i.e. from 2.45 PM of 21.09.2006 to 9.00 AM of 22.09.2006 and her services were not requisitioned by the Duty Medical Officer for attending the patient during the above period. She has further stated that, the responsibilities should have been fixed on the Duty Medical Officer and the staff nurses on duty from 2.45 PM of 21.09.2006 to 9.00 AM of 22.09.2006 who are actually responsible for the treatment of the patient. She further stated that, she was only intimated by the midwife about the cancellation of the discharge of the patient at about 10.00 PM on 21.09.2006 as the patient was getting mild labour pains. Dr.G.L. Shobitha has further stated that, she has advised the midwife to take care of the patient and take the help of the Duty Medical Officer, if necessary. Dr.G.L.Shobitha has further stated with documentary evidence that her services were not requested for the treatment of the said patient from 2.45 PM of 21.09.2006 to 9.00 AM of 22.09.2006 morning till her ward rounds and she herself has noticed the fetal distress during her ward rounds and immediately proceeded and conducted the emergency caesarian operation on the patient to save the life of the child. Dr.G.L.Shobitha has further stated that she has not demanded any money from any person in treating the patient Smt Moka Durga Jyothi. Neither the patient nor her husband made any complaint to the higher authorities on 21.09.2006 about demanding of money by Dr.G.L. Shobitha. She has further stated that, if she really demanded any money, nothing prevented the husband of patient or his relatives from lodging a complaint against her to the higher authorities on 21.09.2006 itself. But contrary to the above, the husband of the patient made the complaint on the evening of 22.09.2006 which is an after thought and concocted to suit their claims. Dr.G.L. Shobitha further stated that, if she had discharged the patient for the sake of money on 21.09.2006, she would have neither attended the patient nor conducted the operation at all. The Civil Surgeon Specialist has further stated that, she herself detected the adverse condition of the fetus and immediately proceeded for the emergency caesarian operation to save the life of the child and conducted the emergency caesarian operation basing on the indication of fetal distress only, but not for the severe labour pains or abnormal labour pains. Finally Dr.G.L. Shobitha has stated that she never exhibited any negligence in discharging her legitimate duties while treating the patient and she never demanded nor accepted any money from any person for treating the above patient and she has treated the above patient with utmost care while discharging her legitimate duties on par with other patients without any intention of demanding and /or accepting money, and requested to drop all above charges as the same were framed contrary to the facts.

4. In view of the above, the Government after careful examination, of the written statement of defence alongwith documentary evidence / record submitted in support, observe that the explanation (written statement of defence) of Dr.G.L. Shobitha, Civil Surgeon Specialist is quite logical and convincing and actually the responsibility should have been fixed on the Duty Medical Officer and the staff nurses on duty from the evening of 21.09.2006 to the morning of 22.09.2006 and also as the balance of convenience is infavour of Dr.G.L. Shobitha, there is no case for further action and hence the Government accepted the written statement of defence of Dr.G.L. Shobitha. Therefore, the Government has decided to drop further action on all the charges framed against Dr.G.L. Shobitha, Civil Surgeon Specialist as her explanation to the charges in her statement of defence are convincing.

5. Accordingly, the Government hereby drop further action on all the charges framed against Dr. G.L. Shobitha, Civil Surgeon Specialist (Ob & Gy), formerly working at District Hospital, Machilipatnam and presently working at Community Health Centre, Nandigama, Krishna District in the matter.

6. The Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. VIJAY KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT

To
Dr. G.L.Shobitha, Civil Surgeon Specialist (Ob & Gy.) formerly working
at District Hospital, Machilipatnam, and presently working at CHC,
Nandigama, Krishna District **through** the Commissioner,
A.P. Vaidya Vidhana Parishad, Hyderabad.
The Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad.
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER